

January 11, 2005

Subject: BP Cherry Point Cogeneration Project
Final Approval, Notice of Construction/Prevention of Significant Deterioration
Permit No. EFSEC/2002-01

Dear Interested Person;

You are receiving this letter for one of the following reasons:

- 1) You presented comments to the Energy Facility Site Evaluation Council (EFSEC or Council) in writing, or orally at the December 9, 2003 public comment meeting held in Blaine, Washington, regarding the draft approval to issue an NOC/PSD air emissions permit in connection with the review of the BP Cherry Point Cogeneration Project Application for Site Certification;
- 2) You are an interested tribal, local, state or federal agency representative with respect to this permit action;
- 3) You are on EFSEC's mailing list for the BP Cherry Point Cogeneration Project.

On December 21, 2004, Governor Locke approved the authorization to construct and operate the BP Cherry Point Cogeneration Project in Whatcom County, Washington. Included in this authorization was the approval of the Notice of Construction/Prevention of Significant Deterioration (NOC/PSD) permit No. EFSEC/2002-01. On January 5, 2005 this final NOC/PSD permit was also signed by a representative from the U.S. Environmental Protection Agency (EPA), Region 10.

On behalf of the Council, I would like to extend EFSEC's appreciation for your participation and/or comments regarding the draft NOC/PSD permit. Public participation is an important component of the Council's consideration of an application.

The Council's final determination regarding this permit amendment consists of

- The final NOC/PSD permit, No. 2002-01
- Comments received regarding the draft permit issued for public comment;
- A responsiveness summary which summarizes the comments received, responds to the comments, and indicates those approval conditions that have changed from the preliminary determination.

A copy of these documents is available upon request made to the EFSEC office by calling (360) 956-2121, by e-mail to efsec@ep.cted.wa.gov, or by mail to EFSEC, P.O. Box 43172, Olympia, WA, 98504-3172. Copies of the documents are also available for public inspection at the following locations:

Washington State Library Joel M. Pritchard Library Point Plaza East 6880 Capitol Blvd Tumwater, WA, 98504-2460 (360) 704-5200 Energy Facility Site Evaluation Council 925 Plum Street SE, Building 4 Olympia, WA, 98504-3172 (360) 956-2121 www.efsec.wa.gov Washington State Department of Ecology 300 Desmond Drive Lacey, Washington, 98503 Please contact Robert Burmark at (360) 407-6812.	Whatcom County Library 610 Third Street Blaine, WA 98230 Whatcom County Library P.O. Box 1209 Ferndale, WA 98248 Bellingham Library 210 Central Avenue Bellingham, WA 98225-4421 On the internet at: www.efsec.wa.gov	Semiahmoo Library #200 1815 152 Street Surrey, BC V4A 9Y9 Canada White Rock Public Library 15342 Buena Vista Avenue White Rock, BC V4B 1Y6 Canada
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For federal PSD purposes, and in accordance with section 40 Code of Federal Regulations (CFR) 124.15 and 124.19, this permit will become effective within 30 days after the date of this letter. Within 30 calendar days of this notice, any person who commented on the draft approval may petition the EPA Administrator, under 40 CFR 124.19, to review any condition of the decision. Any person who failed to file comments or failed to participate in the public hearing on the draft may petition for administrative review only to the extent of the changes from the draft to the final approved decision. If an appeal is made to the EPA Administrator, the effective date of the permit will be suspended until such time as the appeal is resolved.

Please do not hesitate to contact me at (360) 956-2047 should you have any questions about this matter.

Sincerely,

Irina Makarow
Siting Manager

Distribution List:

* indicates that a copy of Final Approval and Responsiveness Summary are enclosed.

Persons/organizations who submitted comments:

*Patrick Alesse
*Susan Amsberry
*Ann Banks (by e-mail)
*Kathy Berg
*David J. Bernstein
*Doug Caldwell, Isca Management Ltd
*Ken Cameron, Greater Vancouver Regional District
*Cathy Cleveland
*Arne Cleveland
*Cathy Delcourt (by e-mail)
*Frank Eventoff
*Steve & Kris Halpin
*Helene And Steve Irving
*Veli Kallio, Veco
*Martin Klix
*Karen Klokkeveld (by e-mail)
*John Lane, Counsel for the Environment
*John Macpherson, Anvil Corporation
*Dan Meyer, US EPA Region10
*M D Nassichuck Environment Canada
*Stuart Pennington
*Dale Petersen
*Tom Pratum
*Gary Russell, Whatcom County Fire District No. 7
*Carol And Dennis Sandvig
*David M Schmalz, North Cascades Audubon Society
*Fred & Kay Schuhmacher
*Hugh Sloan, Fraser valley Regional District
*Eliana Steele-Friedlob
*Wendy Steffensen, Re Sources
*Tom Stewart
*William Tadlock
*Mike Torpey, Cherry Point Refinery
*Wally And Marilyn Vaux
*Randall Watts, Whatcom County Prosecutors Office
*Alan And Carolyn Wilhite
*John Williams

Tribal Government:

Honorable Darrel Hillaire, Lummi Nation
Merle Jefferson, Lummi Nation
Honorable Narcisco Cunanan, Nooksack Tribe
Bob Kelly Jr., Nooksack Tribe
Honorable Stanley G. Jones Sr., Tulalip Tribes
Daryl Williams, Tulalip Tribes
Jamestown S'klallam Tribe
Lower Elwha Tribal Community
Port Gamble S'klallam Tribe
Samish Indian Tribe
Sauk-Suiattle Indian Tribe
Stillaguamish Tribe
Suquamish Indian Tribe of The Port Madison
Swinomish Indians of The Swinomish Reservation
Upper Skagit Indian Tribe

Federal Government:

*Bob Bachman, USDA – Forest Service
Ken Berg, US Fish and Wildlife
Nancy Helm, U.S. EPA Region 10
Steve Landino, National Marine Fisheries Service
Thomas Mckinney, Bonneville Power Administration
*Darwin Morse, National Park Service
Thomas Noguchi, Bonneville Power Administration
*John Notar National Park Service
Janice Peterson, USDA Forest Service
John Phipps, Mount Baker Snoqualmie National Forest
Olivia H. Romano, US Army Corps of Engineers
*Elizabeth Waddell, National Park Service

Canadian Governments (and representatives):

Carl Alleyne, Ph.D., Health Canada-BC/Yukon Region
David A Bricklin, Bricklin Newman Dold, LLP
Collin Di Cenzo, Environment Canada
Ali Ergudenler, Greater Vancouver Regional District
Paul Jarman, BC Ministry of Attorney General
Nancy Knight, Greater Vancouver Regional District
Verne Kucy, The Corporation of Delta
Adam La Rusic, Environment Canada
Ray Robb, BC Water Land and Air Protection
Steve Sakiyama, BC Water Land and Air Protection

Continued other side.

State Government:

Doug Brown, Department of Ecology NWRO
*Bob Burmark, Department of Ecology
Dick Grout, Department of Ecology
Curt Leigh Department of Fish and Wildlife
Susan Meyer, Department of Ecology

Local Government:

Whatcom County Council
Terry Galvin, City of Blaine Planning Department
James S. Darling, Port of Bellingham
*Pete Kremen, Whatcom County Executive
James Randles, Northwest Air Pollution Authority

Permittee and Representatives:

Kevin Casey, BP Energy
Brad Howard, Transcanada
Karen McGaffey, Perkins Coie LLP
Mark Moore, BP
Karen Payne, BP Cherry Point Refinery
Rick Porter, BP Cherry Point Refinery
Walter J. Russell, Air Permits
Steve Terri, Transcanada
Darryl Thorson, BP Energy
Cynthia Weston, BP Legal

Other:

EFSEC interested persons mailing list